

**MEETING**

The regular meeting of the Hayward Planning Commission was called to order at 7:30 p.m. by Chairperson Williams, followed by the Pledge of Allegiance.

**ROLL CALL**

Present: COMMISSIONERS Bennett, Bogue, Caveglia, Fish, Halliday, Zermeño  
CHAIRPERSON Williams  
Absent: COMMISSIONER None

Staff Members Present: Anastas, Anderly, DeLuz, Looney, Payne, Patenaude

General Public Present: Approximately 21

**PUBLIC COMMENT****AGENDA**

1. Use Permit No. 98-160-17 - Southern Alameda County Comité for Raza Mental Health (Applicant/Owner) - Request to operate a neighborhood mental health and social services center within an office building/neighborhood center, formerly the Burbank Neighborhood Resource Center. *The property is located at 22366 Fuller Avenue, easterly side, approximately 300 feet south of West "A" Street in a Single-Family Residential (RS) Zoning District.*
2. Referral by the Planning Director: Use Permit Application No. 98-160-10 - Peter Jacobsohn (Applicant)/Dr. Sandeep Salwan (Owner) - Request to construct a three-story structure consisting of the following: approximately 2,300 square feet for recovery room space located on the street level, a 5,700 square-foot veterinary clinic/hospital on the second level, and a 2,400 square-foot residential unit on the third level; and a request to allow parking for this structure on residentially-zoned property. *The project location is 21888 Foothill Boulevard, in the Neighborhood Commercial (CN) and Medium-Density Residential (RM) Zoning Districts.*
3. Use Permit Application 98-150-26/Variance 98-180-09 - Antonio Solorio (Applicant/Owner) - Request for a use permit to construct a 1,845-sq.ft. building for use as a 45-seat restaurant with associated parking at 29950 Huntwood Avenue, on the northeast corner with Industrial Parkway West, in an Industrial (I) District. The applicant also requests a variance to delete the required 15% tractor/trailer parking for restaurants in the I District.
4. Modification of Use Permit No. 99-160-17 - James M.T. Chao (Applicant)/Stephen Ng (Owner) - Request to modify a condition of approval of UP 99-160-03 to allow the retention of the southernmost driveway on Mission Boulevard. *The project location is 650 Tennyson Road, on the northwest corner of Tennyson Road and Mission Boulevard in*

*a Neighborhood Commercial (CN) Zoning District.*

5. Determination of Consistency with General Plan - Sale of a Portion of Surplus Real Property Parcel No. 117 - located at 29945 Mission Boulevard (adjacent to the Twin Bridges Development).

**PUBLIC HEARINGS**

1. Use Permit No. 98-160-17 - Southern Alameda County Comité for Raza Mental Health (Applicant/Owner) - Request to operate a neighborhood mental health and social services center within an office building/neighborhood center, formerly the Burbank Neighborhood Resource Center. *The property is located at 22366 Fuller Avenue, easterly side, approximately 300 feet south of West "A" Street in a Single-Family Residential (RS) Zoning District.*

Assistant Planner DeLuz explained the proposal for the neighborhood resource center to provide services to the Santa Clara neighborhood area and surrounding community. He said the major issue is compatibility with the neighborhood and whether or not the reopening of the neighborhood center would create a level of activity that is incompatible with surrounding residential uses. He indicated that staff recommended replacing the wood fencing along the easterly property line and the chainlink fencing along the southerly property line with a masonry block or precast concrete wall 6-feet in height. Staff also recommended approval of the application with the findings and conditions.

The Public Hearing Opened at 7:42 p.m.

Hector Mendoza, executive director, Southern Alameda County Committee for Raza Mental Health, 26081 Mocine Avenue, described La Familia and their programs. He said they have been wishing to expand north if they could resolve the issue of land. This is an opportunity for them to offer services to the residents near "A" Street. He added that they are a multi-cultural organization and will serve all of the residents in the area. He said they were pleased to see that the neighborhood seems to respect the building since it has not been vandalized and has been kept clean in the time it has been vacant.

In response to commissioners' questions and comments, Mr. Mendoza indicated that they now own the building, thanks to the City Block Grants, and will be able to provide a multitude of services to Hayward residents.

The Public Hearing Closed at 7:56 p.m.

The motion was made by Commissioner Zermeño, seconded by Commissioner Halliday, and unanimously carried to approve the staff recommendation.

2. Referral by the Planning Director: Use Permit Application No. 98-160-10 - Peter Jacobsohn (Applicant)/Dr. Sandeep Salwan (Owner) - Request to construct a three-story structure consisting of the following: approximately 2,300 square feet for recovery room space located on the street level, a 5,700 square-foot veterinary clinic/hospital on the second level, and a 2,400 square-foot residential unit on the third level; and a request to allow parking

for this structure on residentially-zoned property. *The project location is 21888 Foothill Boulevard, in the Neighborhood Commercial (CN) and Medium-Density Residential (RM) Zoning Districts.*

Development Review Services Administrator Anderly announced that this item would be held over until the next meeting on June 24 because it had to be re-noticed throughout the neighborhood.

3. Use Permit Application 98-150-26/Variance 98-180-09 – Antonio Solorio (Applicant/Owner) – Request for a use permit to construct a 1,845-sq.ft. building for use as a 45-seat restaurant with associated parking at 29950 Huntwood Avenue, on the northeast corner with Industrial Parkway West, in an Industrial (I) District. The applicant also requests a variance to delete the required 15% tractor/trailer parking for restaurants in the I District.

Associate Planner Patenaude described the application and the present operation on the site. He indicated that approval of the Use Permit and/or Variance application would not constitute approval of the present operation, which is in violation of various zoning requirements. He said that, as conditioned, these violations would have to be cleared by the City before a building permit will be issued. He indicated that staff was also requesting a 20-foot landscaping setback on the property for large trees and accents along the corridor, although, at present, only 10-feet is the requirement. He explained that staff had been working with the design consultant and they had managed to design a 16-foot setback.

Commissioners Fish and Bogue asked where the floor plans were for this item and the item preceding it.

Commissioner Zermeño asked whether the width of the lot might not make it too restrictive to include a 20-foot landscaping setback.

Development Review Services Administrator Anderly explained that to meet the requirement, they would have to forego a few seats in the restaurant, which would then reduce the parking requirement.

Associate Planner Patenaude admitted that it was a fairly narrow piece of property. Development Review Services Administrator Anderly said staff had encouraged the applicant to speak to the owner of the property next door about buying their lot and combining the two.

Public Hearing Opened at 8:23 p.m.

Joann Cosci, 554 Van Court, said they live in the area and this is already a positive addition to the neighborhood. She encouraged the Commission to support the application since this is a family operation.

Jay Yinzer, 369 - B Third Street. #239, San Rafael, design consultant for the project, said he was drawn to the project because he had tried the food and met the family. He said this would be an asset to the community. He asked commissioners to try to keep the number of seats in

the restaurant as high as possible to make the proposal financially sound. He also urged members to accept the 16-foot adjustment and not insist on a 20-foot setback.

Scott Mackey, 29001 Hopkins Street, a regular patron of the facility said the area is ready for a new restaurant. He added that he had never seen a truck-trailer parking on the street or get in the way of residents in the neighborhood. He said many of the truck drivers from his business that patronizes Solario's get into their cars to go to the location.

Francisco Sandoval, 25013 Whitman Street, #38-S, added that he, too, has eaten there and said the community will benefit from the restaurant at this location.

Robert Bradway, 293 New Hampshire Way, New England Village, complained about the traffic problems in the area as a result of the present business.

Peter Sandoval, 25013 Whitman Street, said Hayward needs more sit-down restaurants in this area.

Kathy Gutierrez, 27033 Huntwood Avenue, said the restaurant does not open until afternoon so if any utility trucks were in the area causing traffic problems, it was not due to this business.

The Public Hearing Closed at 8:43 p.m.

Commissioner Zermeño said he agreed that the area needs more sit-down restaurants and then asked the applicant how difficult it would be to meet the conditions of approval. He was told there would be no problem except for the 20-foot landscaping setback.

Commissioner Caveglia moved, seconded by Commissioner Halliday, to approve the variance with the findings and conditions of approval and amending condition #7 to read "...a distance of 16 feet in order to provide landscaping...."

Commissioner Halliday said because of the shallow width of the lot it is appropriate to find for a 16-foot landscaping setback rather than the recommended 20-foot setback. She expressed concern regarding parking on the site relative to trucks. She asked that staff try to monitor parking in order for requirements to be met.

Commissioner Fish said he would support the motion but expressed concern regarding the adequacy of the 16-foot driveway exit. Developmental Review Engineer Anastas said the reason he supported it was because it is a one-way drive.

Commissioner Bennett said she would support the motion but asked whether it might not be possible to paint the curbs red toward the corners.

Developmental Review Engineer Anastas said there is no parking in the intersections as it is. However, he would check to see if there is a need for anything more in the area.

Commissioner Zermeño thanked Commissioner Caveglia for moving to approve the project with only 16-feet of landscaping.

Chairperson Williams said he would support the motion since he always supports business in Hayward.

The motion passed unanimously.

4. Modification of Use Permit No. 99-160-17 - James M.T. Chao (Applicant)/Stephen Ng (Owner) - Request to modify a condition of approval of UP 99-160-03 to allow the retention of the southernmost driveway on Mission Boulevard. *The project location is 650 Tennyson Road, on the northwest corner of Tennyson Road and Mission Boulevard in a Neighborhood Commercial (CN) Zoning District.*

Development Review Services Administrator Anderly explained that this item was removed from the agenda and resolved with applicant. She said staff would notify the members of the disposition of the item at some future date.

5. Determination of Consistency with General Plan - Sale of a Portion of Surplus Real Property Parcel No. 117 - located at 29945 Mission Boulevard (adjacent to the Twin Bridges Development).

Survey Engineer Payne described the location of the surplus property and the acquisition details from Caltrans.

The Public Hearing was opened and closed at 9:04 with no input from the public.

Commissioner Fish moved, seconded by Commissioner Bennett, that all staff recommendations be approved and the item forwarded on to the City Council. The motion passed unanimously.

#### ADDITIONAL MATTERS

6. Oral Report on Planning and Zoning Matters

Revocation of Use Permit 99-160-01 - Update on compliance status. Development Review Services Administrator Anderly indicated that the Use Permit has been revoked and the applicant indicates that they would appeal the revocation to Council.

7. Commissioners' Announcements, Referrals

Several commissioners updated their attendance at several upcoming meetings. Commissioner Zermeno said he will not be in the area for meetings in July and Commissioner Fish indicated he would be absent for the June 24<sup>th</sup> meeting. Commissioners assented with these announcements.

Commissioner Halliday thanked whoever was responsible for allowing members to attend the Planning Commission seminar in Oakland. She said it was a really good experience and they learned a lot.

## **MINUTES**

- May 6, 1999 - Approved
- May 20, 1999 - Not all members received copies of these minutes.  
They will be discussed and approved at the next meeting.

## **ADJOURNMENT**

The meeting was adjourned by Chairperson Williams at 9:08 p.m.

## **APPROVED:**

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Jerry Caveglia, Secretary  
Planning Commission

## **ATTEST:**

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Edith Looney  
Commission Secretary